

From: Jason D. Wallace jason@gethelpohio.com
Subject: Re: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973
Date: December 8, 2016 at 11:20 PM
To: Sara Ravas Cooper scooper@walterhav.com
Cc: Kurt Weitendorf (KWeitendorf@rblp.com) KWeitendorf@rblp.com, Christina Henagen Peer cpeer@walterhav.com, Kathryn Perrico kperrico@walterhav.com

Sara,

As you are aware, I am out of the country. This is the first I have been able to get any internet service and it is very spotty at best. I am not able to get any messages on my cell phone either. I wish the planning meeting could have occurred earlier to avoid this type of issue. Regardless, I am fine with the proposed draft with one exception. We would like for something to be added at the end regarding additional information that states:

Defendants Wallace, Bache, and Wallace and Bache LLC will be filing counterclaims with their Answer if their Motion to Dismiss is not granted. They will seek three (3) months for discovery and an opportunity to amend claims after the completion of the discovery period with the date for dispositive motions to be set after the date for amending the claims.

Thank you,
Jason

Jason D. Wallace
Wallace & Bache LLC
270 S. Cleveland Massillon Road
Fairlawn, Ohio 44333
Office: (234) 466-0829
Fax: (866) 573-8377
Jason@GetHelpOhio.com

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On Dec 8, 2016, at 12:44 PM, Sara Ravas Cooper <scooper@walterhav.com> wrote:

Jason:

I just left a message on your cell phone regarding your review / approval of the draft planning meeting report that was originally circulated last Friday. Unfortunately, if I do not hear back from you by 3:00 PM tomorrow, I will be left with no choice but to e-file the report tomorrow as currently drafted without your signature or approval, with a brief explanation to the Court as to why.

Please advise.

Sara

From: Sara Ravas Cooper
Sent: Wednesday, December 07, 2016 11:09 AM
To: 'Kurt Weitendorf'; Jason WallaceGH
Cc: Christina Henagen Peer; Kathryn Perrico
Subject: RE: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973

Thanks, Kurt. Jason?

From: Kurt Weitendorf [<mailto:KWeitendorf@rblp.com>]

Sent: Wednesday, December 07, 2016 10:58 AM

To: Sara Ravas Cooper; Jason WallaceGH

Cc: Christina Henagen Peer; Kathryn Perrico

Subject: RE: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973

Sara-

Your proposed modifications are acceptable from my end.

Kurt

Kurt R. Weitendorf, Esq.

P

Please consider the environment before printing this e-mail

From: Sara Ravas Cooper [<mailto:scooper@walterhav.com>]

Sent: Wednesday, December 07, 2016 10:39 AM

To: Kurt Weitendorf <KWeitendorf@rlblp.com>; Jason WallaceGH <jason@gethelpohio.com>

Cc: Christina Henagen Peer <cpeer@walterhav.com>; Kathryn Perrico <kperrico@walterhav.com>

Subject: FW: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973

Kurt and Jason:

I'm fine with Kurt's proposed revision. I do, however, want to expand on it slightly. Below is my suggestion:

Plaintiffs anticipate discovery directed to Defendant RLB Law Firm on the disputed issue of Defendant RLB Law Firm's liability under the fee shifting provisions of 20 U.S.C. § 1415(i)(3)(B)(i)(II) and (III) for the allegedly frivolous, unreasonable and without foundation conduct of Defendants Wallace and Bache in continuing to litigate their cause of action on behalf of their clients, R.C. and Angela Coleman, his parent; whether under 20 U.S.C. § 1415(i)(3)(B)(i)(II-III), Plaintiffs are entitled to an award of attorneys' fees from Defendants for work performed as well as costs related to the May 5, 2015 due process complaint, the May 13, 2015 first amended due process complaint, the September 17, 2015 second amended due process complaint, and related hearing proceedings / appeal; and the scope of Plaintiffs' damages.

Please let me know if this (as well as the remainder of the draft Report – see attached) is acceptable to you both so that the Report can be e-filed by Friday's deadline.

Thanks,
Sara

-----Original Message-----

From: Kurt Weitendorf [<mailto:KWeitendorf@rlblp.com>]

Sent: Friday, December 02, 2016 5:06 PM

To: Sara Ravas Cooper; Jason WallaceGH

Cc: Kathryn Perrico; Christina Henagen Peer

Subject: RE: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973

Sara-

I have had a chance to review the draft planning report and the only modification that I think is needed is at Paragraph 6 (a) regarding the Recommended Discovery Plan. The language you have seems a little awkward and I would suggest replacing it with the following:

"Plaintiffs anticipate Discovery directed to Defendant RLB Law Firm on the disputed issue of Defendant RLB Law Firm's liability under the fee shifting provisions of 20 U.S.C. § 1415(i)(3)(B)(i)(II) and (III) for the allegedly frivolous, unreasonable and without foundation conduct of Defendants Wallace and Bache in continuing to litigate their cause of action on behalf of their clients, R.C. and Angela Coleman, his parent."

Please review and let me know your thoughts.

Kurt R. Weitendorf, Esq.

P Please consider the environment before printing this e-mail

-----Original Message-----

From: Sara Ravas Cooper [<mailto:scooper@walterhav.com>]

Sent: Friday, December 02, 2016 3:38 PM

To: Jason WallaceGH <jason@gethelpohio.com>; Kurt Weitendorf <KWeitendorf@rlblp.com>

Cc: Kathryn Perrico <kperrico@walterhav.com>; Christina Henagen Peer <cpeer@walterhav.com>

Subject: RE: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973

Kurt and Jason:

Based on our call this morning, attached for your review is the draft planning meeting report. If approved, please email me your consent to e-file.

Thank you,
Sara

-----Original Message-----

From: Jason D. Wallace [<mailto:jason@gethelpohio.com>]

Sent: Thursday, December 01, 2016 9:27 PM

To: Sara Ravas Cooper

Cc: Kurt Weitendorf; Kathryn Perrico; Christina Henagen Peer

Subject: Re: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973

You can reach me at (330) 348-3924.

Thank you,
Jason Wallace

Please excuse any errors or typos as this message was sent from my phone in effort to provide a quick response or timely communication.

> On Dec 1, 2016, at 9:21 PM, Sara Ravas Cooper <scooper@walterhav.com> wrote:
>
> Great. Talk to you then.
>
>
> _____
> From: Kurt Weitendorf
> Sent: Thursday, December 01, 2016 6:40:28 PM
> To: Sara Ravas Cooper
> Cc: Jason WallaceGH; Kathryn Perrico; Christina Henagen Peer
> Subject: Re: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973
>
> Sara-
>
> Yes- I'm available at 9:30 tomorrow. I'll put it in my calendar and will await your initiation of the call.
>
> Kurt
>
> Kurt R Weitendorf
> Sent from my iPad
>
> On Dec 1, 2016, at 5:07 PM, Sara Ravas Cooper
> <scooper@walterhav.com<<mailto:scooper@walterhav.com>>> wrote:
>
> Kurt, are you available tomorrow at 9:30 AM? If not, I can tele-conference with Jason tomorrow at 9:30 AM, and then circulate a proposed planning meeting report for your and Jason's final review. Please advise.
>
>
> From: Jason D. Wallace [<mailto:jason@gethelpohio.com>]
> Sent: Thursday, December 01, 2016 12:35 PM
> To: Jason D. Wallace
> Cc: Sara Ravas Cooper; Kathryn Perrico; Kurt Weitendorf; Christina Henagen Peer
> Subject: Re: Nordon Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973
>
> I forgot to add that I can be available before 10am tomorrow as well.
>
> Thanks,
> Jason
>
> Jason D. Wallace
> Wallace & Bache LLC
> 270 S. Cleveland Massillon Road
> Fairlawn, Ohio 44333
> Office: (234) 466-0829
> Fax: (866) 573-8377
> Jason@GetHelpOhio.com<<mailto:Jason@GetHelpOhio.com>>
>
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>

> On Dec 1, 2016, at 12:24 PM, Jason D. Wallace <jason@gethelpohio.com<<mailto:jason@gethelpohio.com>>> wrote:

>

> Hello,

> I have some availability this afternoon if everyone else is available. I am not available tomorrow.

>

> Jason D. Wallace

> Wallace & Bache LLC

> 270 S. Cleveland Massillon Road

> Fairlawn, Ohio 44333

> Office: (234) 466-0829

> Fax: (866) 573-8377

> Jason@GetHelpOhio.com<<mailto:Jason@GetHelpOhio.com>>

>

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>

> On Nov 30, 2016, at 5:04 PM, Sara Ravas Cooper

> <scooper@walterhav.com<<mailto:scooper@walterhav.com>>> wrote:

>

> Kurt and Jason:

>

> I am available from 1:00 PM – 4:00 PM tomorrow. I am also in a deposition on Friday, but can step away for 15 minutes or so for the planning meeting – just let me know a time.

>

> Please let me know your availability on either of these two dates.

>

> Thanks,

> Sara

>
> From: Kathryn Perrico
> Sent: Wednesday, November 30, 2016 3:45 PM
> To: 'Jason D. Wallace'; Kurt Weitendorf
> Cc: Christina Henagen Peer; Sara Ravas Cooper
> Subject: RE: Nordonias Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973
>
> Ms. Cooper is in depositions today, but we will be in touch shortly about possible times for a call tomorrow or Friday. Feel free to supply your availability on those two dates to expedite the process. Thank you.
>
> From: Jason D. Wallace [<mailto:jason@gethelpohio.com>]
> Sent: Wednesday, November 30, 2016 11:50 AM
> To: Kurt Weitendorf
> Cc: Christina Henagen Peer; Kathryn Perrico; Sara Ravas Cooper
> Subject: Re: Nordonias Hills City School District Board of Education, et al. v Wallace, et al. Case No. 5:16-cv-01973
>
> I will be out of the country next week. I haven't heard from anyone yet.
>
> Thank you,
> Jason Wallace
>
> Please excuse any errors or typos as this message was sent from my phone in effort to provide a quick response or timely communication.
>
> On Nov 30, 2016, at 11:38 AM, Kurt Weitendorf
> <KWeitendorf@rlblp.com<<mailto:KWeitendorf@rlblp.com>>> wrote:
> Counsel-
>
> This is just a reminder that the Court has scheduled a Case Management Conference for 12/15/16 at 2:00 PM. Pursuant to Judge Adams Scheduling Order Plaintiffs' counsel is to arrange with opposing counsel to set a planning meeting in advance of the CMC. I know my calendar is pretty busy over the next several weeks and just wanted to make sure that this is on everyone's radar.
>
> Kurt
>
> <image001.jpg>
>
>
>
>
> Kurt R. Weitendorf
> KWeitendorf@rlblp.com<<mailto:KWeitendorf@rlblp.com>>
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> 50 S. Main Street, 10th Floor
> Akron, OH 44308-1828
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